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## CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: August 17, 2004 Name: John C. Freeman

Signature:

BRINKS  
HOFER  
GILSON  
& LIONE

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: David P. Engvall et al.

Appln. No.: 10/718,782

Filed: November 21, 2003

For: QUICK ADJUSTING PLIERS

Attorney Docket No: 5658/986

Examiner: Unassigned

Art Unit: 3723

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

## TRANSMITTAL

Sir:

## Attached is/are:

- ☒ Transmittal Letter (in duplicate); Supplemental Information Disclosure Statement; PTO 1449; Three (3) cited references; Postcard Evidencing Receipt.
- ☒ Return Receipt Postcard.

## Fee calculation:

- ☒ No additional fee is required.
- ☐ Small Entity.
- ☐ An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ A petition or processing fee in an amount of \$\_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_\_).
- ☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$9=			x \$18=	
Indep.		Minus			x 43=			x \$86=	
First Presentation of Multiple Dep. Claim					+\$145=			+\$290=	
					Total	\$		Total	\$

## Fee payment:

- ☐ A check in the amount of \$\_\_\_\_\_ is enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

August 17, 2004  
Date

Respectfully submitted,

John C. Freeman (Reg. No. 34,483)



**CERTIFICATE OF MAILING**

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August 17, 2004

Date of Deposit

John C. Freeman, Registration No. 34,483

Name of Applicant, Assignee or  
Registered Representative

*J.C. Freeman*

Signature

August 17, 2004

Date of Signature

Our Case No.: 5658/986

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

David P. Engvall et al.

Serial No.: 10/718,782

Filing Date: November 21, 2003

For: QUICK ADJUSTING PLIERS

Examiner: Unassigned

Group Art Unit No.: 3723

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
Alexandria, VA 22313-1450

Dear Sir:

In compliance with Applicants' duty of disclosure under 37 C.F.R. § 1.56 and in conformance with 37 C.F.R. §§ 1.97-1.98, Applicants hereby submit the following references for consideration by the Examiner. Copies of all of the references, except U.S. Patent No.

6,199,459, are enclosed along with a completed copy of Form PTO-1449. A copy of U.S. Patent No. 6,199,459 was previously supplied with Applicants' Information Disclosure Statement filed on April 9, 2004 and so there is no need to supply it with the present Supplemental Information Disclosure Statement.

**I. DISCLOSURE**

**A. U.S. Patents**

<u>Patent No.</u>	<u>Inventor</u>	<u>Issue Date</u>
6,199,459 B1	Azkona	03/13/01

**B. Foreign Patents**

<u>Reference No.</u>	<u>Country</u>	<u>Pub. Date</u>
2 334 913 A	U.K.	09/08/99
WO 99/44790 A1	WIPO	09/10/99
199 63 818 A1	Germany	07/05/01

**II. DISCUSSION**

**A. U.S. Patent No. 6,199,459**

The '459 patent was cited as an X-type reference in a combined Search and Examination Report for corresponding United Kingdom patent application GB0407459.7. An X-type reference is a document indicating lack of novelty or inventive step.

**B. U.K. Patent Reference No. 2 334 913**

The '913 patent reference was cited as an X-type reference in a combined Search and Examination Report for corresponding United Kingdom patent application GB0407459.7.

**C. WIPO Patent Reference No. WO 99/44790**

The '790 patent reference was cited as an X-type reference in a combined Search and Examination Report for corresponding United Kingdom patent application GB0407459.7.

**D. German Patent Reference No. 199 63 818**

Based solely on the drawings and the attached English-language Abstract, the '818 reference is pertinent because it appears to disclose pliers with a toothed rack arranged near a slot and engaged by a counter-tooth.

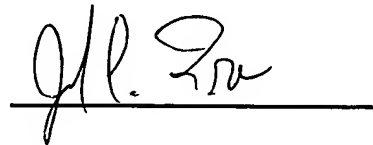
The '818 patent reference was cited as an X-type reference in a combined Search and Examination Report for corresponding United Kingdom patent application GB0407459.7.

**III. CONCLUSION**

It is believed that none of these references, alone or in combination, disclose or suggest the invention claimed. However, Applicants wish to make it clear that the disclosure of the above references is in no way an admission that they qualify as prior art. It is Applicants' desire, however, to have these references available in the record for both the Examiner and the public to

see. Applicants therefore request that the Examiner review the entire disclosure of each reference and make the above-listed references of record.

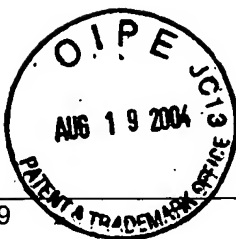
Respectfully submitted,

A handwritten signature in black ink, appearing to read "J.C. Freeman", is written over a solid horizontal line.

John C. Freeman  
Registration No. 34,483  
Attorney for Applicants

BRINKS HOFER  
GILSON & LIONE  
P.O. Box 10395  
Chicago, Illinois 60610  
(312) 321-4200

Dated: August 17, 2004



FORM PTO-1449	SERIAL NO. 10/718,782	CASE NO. 5658/986
<b>LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT</b>	FILING DATE November 21, 2003	GROUP ART UNIT 3723
(use several sheets if necessary)	APPLICANT(S): Engvall et al.	

## REFERENCE DESIGNATION

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	C1	6,199,459 B1	03/13/2001	Azkona		

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES OR NO
	C2	2 334 913 A	09/08/1999	U.K.		No
	C3	WO 99/44790 A1	09/10/1999	WIPO		No
	C4	199 63 818 A1	07/05/2001	Germany		Yes

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609;  
Draw line through citation if not in conformance and not considered. Include copy of this form with next  
communication to applicant.